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(n/k/a JAPAN DISPLAY INC.) HITACHI

(f/k/a JAPAN DISTECH INC.), HITACHI
AMERICA LTD. HITACHI ASIA LTD.

AMERICA, AND HITAC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. Master File No. 3:07-cv-05944-SC

MDL NO. 1917

This Document Relates to:

All Indirect Purchaser Actions

Electrograph Systems, Inc., et al. v. Hitachi, Ltd., et al., No. 3:11-cv-01656-SC:

Alfred H. Siegel as Trustee of the Circuit City Stores, Inc. Liquidating Trust v. Hitachi, Ltd., et al. No. 3:11-cv-05502-SC.

**DECLARATION OF ELIOT A.
ADELSON IN SUPPORT OF HITACHI
DEFENDANTS' NOTICE OF MOTION
AND MOTION FOR SUMMARY
JUDGMENT BASED UPON
WITHDRAWAL AND THE STATUTES
OF LIMITATIONS AND
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT THEREOF**

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

ADELSON DECLARATION RE HITACHI'S MOTION FOR
SUMMARY JUDGMENT BASED UPON WITHDRAWAL
AND STATUES OF LIMITATIONS

CASE NO.: 3:07-cv-05944-SC
MDL No.: 1917

1 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,*
2 No. 3:11-cv-05513-SC;

3 *Target Corp, et al. v. Chunghwa Picture Tubes,*
4 *Ltd., et al., No. 3:11-cv-05514-SC;*

5 *Sears, Roebuck and Co. and Kmart Corp. v.*
6 *Chunghwa Picture Tubes, Ltd., No. 3:11-cv-*
7 *05514-SC*

8 *Interbond Corporation of America, d/b/a*
9 *BrandsMart USA v. Hitachi, et al.,*
10 *No. 3:11-cv-06275-SC;*

11 *Office Depot, Inc. v. Hitachi, Ltd., et al.,*
12 *No. 3:11-cv-06276-SC;*

13 *CompuCom Systems, Inc. v. Hitachi, Ltd.,*
14 *et al., No. 3:11-cv-06396-SC;*

15 *Costco Wholesale Corporation v. Hitachi,*
16 *Ltd., et al., No. 3:11-cv-06397-SC;*

17 *P.C. Richard & Son Long Island Corporation, et*
18 *al. v. Hitachi, Ltd., et al., No. 3:12-cv-02648-SC;*

19 *Schultze Agency Services, LLC on behalf of*
20 *Tweeter OPCO, LLC and Tweeter Newco, LLC v.*
21 *Hitachi, Ltd., et al., No. 3:12-cv-02649-SC;*

22 *Tech Data Corporation, et al. v. Hitachi,*
23 *Ltd., et al., No. 3:13-cv-00157-SC*

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1 I, Eliot A. Adelson, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and the Northern
3 District of California. I am a partner with the firm of Kirkland & Ellis LLP, and counsel for Hitachi,
4 Ltd., Hitachi Asia, Ltd., Hitachi America, Ltd., Hitachi Displays, Ltd. (n/k/a Japan Display Inc.), and
5 Hitachi Electronic Devices (USA), Inc. (collectively, the "Hitachi Defendants"). I submit this
6 Declaration in Support of Hitachi Defendants' Notice of Motion and Motion for Summary Judgment
7 Based Upon Withdrawal and the Statutes of Limitations and Memorandum of Points and Authorities
8 in Support Thereof. Except for those matters stated on information and belief, about which I am
9 informed and which I believe to be true, I have personal knowledge of the matters set forth herein,
10 and could and would testify competently to each of them.

11 2. Attached as Exhibit 1 to this Declaration is a true and correct copy of the Declaration
12 of Katsuyuki Kawamura in support of the Hitachi Defendants' Evidentiary Proffer filed on
13 December 7, 2010, ECF No. 820, in the matter *In Re Cathode Ray Tube (CRT) Antitrust Litigation*,
14 Case No. 07-5944, United States District Court, Northern District of California.

15 3. Attached as Exhibit 2 to this Declaration is a true and correct copy of the Declaration
16 of Tetsuro Yokoo in support of the Hitachi Defendants' Evidentiary Proffer filed on December 7,
17 2010, ECF No. 819, in the matter *In Re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-
18 5944, United States District Court, Northern District of California.

19 4. [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 5. [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 6. [REDACTED]

28 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 7. [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 8. [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11

9. Attached as Exhibit 8 to this Declaration is a true and correct copy of the Declaration
12 of Raymond Teng in support of the Hitachi Defendants' Evidentiary Proffer filed on December 7,
13 2010, ECF 822 in the matter, *In Re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-5944,
14 United States District Court, Northern District of California.

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10. [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19

11. Attached as Exhibit 10 to this Declaration is a true and correct copy of the
20 Declaration of L. Thomas Heiser in support of the Hitachi Defendants' Evidentiary Proffer filed on
21 December 7, 2010, ECF No. 825 in the matter, *In Re Cathode Ray Tube (CRT) Antitrust Litigation*,
22 Case No. 07-5944, United States District Court, Northern District of California.

23

12. Attached as Exhibit 11 to this Declaration is a true and correct copy of the
24 Declaration of Tillie Lim in support of the Hitachi Defendants' Evidentiary Proffer filed on
25 December 7, 2010, ECF No. 823 in the matter, *In Re Cathode Ray Tube (CRT) Antitrust Litigation*,
26 Case No. 07-5944, United States District Court, Northern District of California.

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13. [REDACTED]

28 [REDACTED]

1 [REDACTED]

2 14. [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 15. [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 16. [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 17. [REDACTED]

12 [REDACTED]

13 18. [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 19. Attached as Exhibit 18 to this Declaration is a true and correct copy of excerpts from
17 Volume 8, No 31, of Publication *Display Monitor*, dated July 30, 2001 from with document
18 identification numbers HEDUS-CRT00169116 - HEDUS-CRT00169137.

19 20. Attached as Exhibit 19 to this Declaration is a true and correct copy of Los Angeles
20 Times article from July 27, 2001 titled, "*Hitachi will Exit PC Display-Tube Business*".

21 21. [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 22. Attached as Exhibit 21 to this Declaration is a true and correct copy of Warren
25 Communication News article from March 11, 2002 titled, "*Hitachi Sharpens Focus*".

26 23. Attached as Exhibit 22 to this Declaration is a true and correct copy of Jiji Press, Ltd.
27 article from March 25, 2002 titled, "*Hitachi to Withdraw from CRT TV Production in China*".

28 24. [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 25. Attached as Exhibit 24 to this Declaration is a true and correct copy of excerpts from
4 the Deposition of Patrick Barrett taken on November 4, 2014 in the matter, *In Re Cathode Ray Tube*
5 (*CRT*) *Antitrust Litigation*, Case No. 07-5944, United States District Court, Northern District of
6 California.

7 I declare under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct.

9 DATED: November 7, 2014

10 By: /s/ Eliot A. Adelson

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21 LTD. (n/k/a JAPAN DISPLAY INC.),
22 HITACHI AMERICA, LTD., HITACHI
23 ASIA, LTD., AND HITACHI
24 ELECTRONIC DEVICES (USA), INC.
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26
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